

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Respondent,

v.

ALEXANDER RODRIGUEZ,
Defendant-Petitioner-Movant.

Crim. Case No.: 97-98-5 (HL)

MOTION FOR RESENTENCING

COMES NOW BEFORE THIS HONORABLE COURT, Defendant-Petitioner-Mover ALEXANDER RODRIGUEZ hereinafter Petitioner, in proper person, and respectfully requests to be brought before this Court at its earliest convenience to be resentenced.

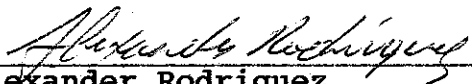
Petitioner requests that all enhancements or time that was added to his sentence, which was not charged in the indictment, or admitted by the Petitioner, established in a plea of guilty, or put before a jury and found beyond a reasonable doubt be subtracted from his sentence.

Had Petitioner been sentenced without the unconstitutional enhancements being added on, he would have received a much lesser sentence.

This request is made due to *Apprendi v. New Jersey*, 530 U.S. 466 (2000), *Blakely v. Washington*, 542 U.S. ____ (2004), as well as, the more recent decisions in *United States v. Booker* and *United States v. Fanfan*, 543 U.S. ____ (2005) Nos. 04-104 and 04-105.

Signed this 26 day of DEC, 2005 at the Federal
Satellite Low in Jesup, Georgia, U.S.A.

Respectfully submitted,

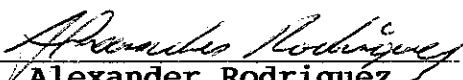

Alexander Rodriguez
Defendant-Petitioner, In Proper Person
FBOP#14800-069
Federal Satellite Low
2650 Hwy 301 South
Jesup, GA 31599

Certificate of Service

I, the undersigned, Petitioner herein the **Address Update Notice and Motion for Resentencing**, do hereby certify that a true a correct parody of the same, has been placed in an envelope and deposited in the legal mail receptacle at the Federal Satellite Low in Jesup, Georgia, U.S.A., properly addressed, with sufficient first class postage prepaid to ensure delivery thereto following:

AIXA MALDONADO-QUINONES, ESQ.
Assistant U.S. Attorney
U.S. Attorney's Office
Chardon Tower, Suite 1201
350 Carlos Chardon Avenue
San Juan, P.R. 00818

Thus done and signed on this 26 day of DEC, 2005
under penalty of perjury pursuant to Title 28, U.S.C. Section at
the Federal Satellite Low in Jesup, Georgia, U.S.A.


Alexander Rodriguez
Petitioner, In Proper Person